

Agricultural Marketing Service, USDA

§915.141

(2) Applicant's principal place(s) of business;

(3) Type of business organization (individual, corporation, partnership, etc.);

(4) If other than an individual, the names and addresses of officers, partners, etc.;

(5) Nature of business (handler, trucker, wholesaler, etc.);

(6) Number of years engaged in avocado business;

(7) Estimated seasonal volume of avocados handled;

(8) Place within production area where the avocados will be prepared for market, and name and address of person responsible for such preparation;

(9) Name and address of three references, one of which shall be a bank;

(10) Certification of accuracy of information furnished; and

(11) An agreement to comply with the provisions of this part.

(b) When the committee receives an application for registration, it shall issue the applicant a certificate of registration, if it determines based upon an investigation that the applicant may be expected to handle avocados in accordance with this part.

(c) If it is determined from the available information that the applicant is not entitled to be registered with the committee, he shall be so informed by written notice stating why the certificate of registration was not issued.

(d) Any certificate of registration issued to a handler pursuant to this section may be canceled by the committee under circumstances which would have justified denial of his application.

(e) The committee shall suspend the certificate of registration issued under this section of any handler who fails to pay assessments or furnish reports as required under this part, and so advise the handler in writing of the suspension and the effective date. The committee shall lift such suspension at such time as the handler pays such assessments and files such reports, and the committee determines that the handler may be expected to handle

avocados in the future in accordance with this part.

[19 FR 5439, Aug. 26, 1954. Redesignated at 26 FR 12751, Dec. 30, 1961, and amended at 49 FR 33203, Aug. 22, 1984]

§915.140 Avocados not subject to regulation.

(a) *Minimum quantity.* During any one day any handler may handle not to exceed 55 pounds total of avocados exempt from the provisions of §§915.41, 915.51, and 915.54, and the regulations issued thereunder: *Provided*, That such exempted quantity shall not be included as part of a shipment exceeding 55 pounds.

(b) *Gift shipments.* Any handler may, exempt from the provisions of §§915.41, 915.51, and 915.54, and the regulations issued thereunder, handle avocados in individually addressed gift containers not exceeding 20 pounds net weight for use by the addressee other than for resale.

(c) *Commercial processing into products.* The term *commercial processing into products*, as used in §915.55(c), means the manufacture of any avocado product which is preserved by any recognized commercial process, including canning, freezing, dehydrating, drying, the addition of chemical substances, or by fermentation.

(d) *Avocados for seed.* Any handler may ship avocados to be used for seed purposes exempt from the provisions of §§915.41, 915.51, and 915.54, and the regulations issued thereunder: *Provided*, That such handler shall make application to the committee for an exemption prior to the loading of each shipment and that the receiver of each such shipment shall certify, on a form provided by the committee, that such fruit was used for the intended purpose, and that the residue from the seed separation process will not be allowed to enter fresh channels of trade.

[23 FR 9126, Nov. 26, 1958. Redesignated at 26 FR 12751, Dec. 30, 1961, and amended at 30 FR 10880, Aug. 21, 1965; 36 FR 1191, Jan. 26, 1971; 43 FR 23557, May 31, 1978]

§915.141 Handling avocados for commercial processing into products.

(a) No person shall handle any avocados for commercial processing into products unless prior to such handling